

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Kallys Albert, Sr.,

Civil 08-5871 JMR/FLN

Plaintiff,

v.

O R D E R

Dakota Communities, Inc., et al.,

Defendants.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated March 19, 2009, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

1. Plaintiff's Application To Proceed In Forma Pauperis, (Docket No. 2), is **DENIED**; and
2. This action is **DISMISSED WITHOUT PREJUDICE**

DATED: April 15, 2009.
at Minneapolis, Minnesota

s/James M. Rosenbaum
JUDGE JAMES M. ROSENBAUM
United States District Court